

JAN 23 2015

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# A BILL FOR AN ACT

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RELATING TO PUBLIC EARLY CHILDHOOD EDUCATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. Significant research affirms that the  
2 experiences children have, and the environments in which they  
3 develop, during their earliest years can have a lasting impact  
4 on their later success in school and life. When provided with  
5 the opportunity for high-quality early childhood education,  
6 children are more likely to succeed in kindergarten and beyond  
7 and grow into capable adults who contribute positively to the  
8 larger community. They are more likely to reach higher levels  
9 of educational attainment, earn higher salaries, and can even be  
10 healthier.

11       The legislature finds that high-quality early childhood  
12 education programs also generate significant returns on  
13 investment for society as a whole; to such an extent that some  
14 of the country's most respected economists are now touting early  
15 childhood education as an economic development strategy.  
16 Investments in early childhood education yield a return far  
17 exceeding the return on most public projects considered to spur



1 economic development. Several of the most rigorous long-term  
2 studies done in this area determined that returns are between  
3 \$4.00 and \$9.00 for every dollar invested. These returns are  
4 realized in the form of reduced welfare, crime, and special  
5 education costs; reduced homelessness and substance abuse; and  
6 increased tax revenues from program participants later in life.  
7 This was validated for Hawaii in a 2008 study commissioned by  
8 the Good Beginnings Alliance, which found a return of more than  
9 \$4.00 for every dollar invested in high-quality early childhood  
10 education for this State.

11 Of particular concern to the legislature are Hawaii's low-  
12 income children. Currently, one in six children lives in  
13 poverty in Hawaii, making children the poorest members of our  
14 society according to 2013 data reported by the University of  
15 Hawaii Center on the Family. This number is alarming because an  
16 impoverished childhood leads to a greater risk of teen  
17 pregnancy, failure to graduate from high school, poor health,  
18 and lack of secure employment in later years. If left without  
19 the opportunity for early childhood education, this population  
20 has a significantly reduced chance for success later in life.



1       As stated in the 2010 national report "Learning to Read" by  
2 the Annie E. Casey Foundation, if "we don't get dramatically  
3 more children on track as proficient readers, the United States  
4 will lose a growing and essential proportion of its human  
5 capital to poverty, and the price will be paid not only by  
6 individual children and families, but by the entire country."  
7 Reading proficiency is the leading indicator of long-term  
8 academic and life success. High school dropout rates are  
9 closely correlated with the inability to read proficiently by  
10 the end of grade three, and the shortfall in reading proficiency  
11 is especially pronounced among low-income children.

12       Reading proficiency is directly undermined by lack of  
13 school readiness. If a child does not arrive at kindergarten  
14 ready to learn, the child is likely to struggle to keep up and  
15 then may eventually lose the interest and motivation necessary  
16 to learn. The resulting achievement gap will only widen with  
17 each subsequent year of schooling.

18       All children need high-quality, developmentally-appropriate  
19 early childhood education programs to enable them to arrive at  
20 school ready to learn. The legislature finds, however, that too  
21 many of Hawaii's children enter kindergarten with inadequate



1 preparation. According to the Hawaii State School Readiness  
2 Assessment for the 2012-2013 school year, forty-three per cent  
3 of children in public school kindergartens had not attended a  
4 prekindergarten program. Moreover, according to data reported  
5 by the University of Hawaii Center on the Family in 2013,  
6 seventy-five per cent of fourth graders are not reading  
7 proficiently.

8 High-quality early childhood education can help close the  
9 achievement gap between children of different socioeconomic  
10 backgrounds. The Academic Pediatric Association's Task Force on  
11 Childhood Poverty in 2013, identified the provision of high-  
12 quality early childhood programs and high-quality affordable  
13 child care to poor families as one of the key strategies to  
14 reducing poverty. Studies have proven that high-quality early  
15 childhood education programs are especially effective for  
16 children from low-income families, as well as children who are  
17 otherwise disadvantaged. These programs are one of the  
18 strongest factors in school readiness for children from low-  
19 income families because of the potential to alter their lifetime  
20 trajectories for success.



1       The legislature finds, however, that every child,  
2 regardless of the child's socioeconomic status, can benefit from  
3 early childhood education. According to the 2010 national  
4 report entitled "Learning to Read," three-quarters of children  
5 from families with moderate or high incomes are not ready for  
6 school at kindergarten entry. More than ninety per cent of  
7 kindergarten classrooms in department of education schools  
8 reported that students did not meet benchmarks in all dimensions  
9 of school readiness, including literacy, math, and school  
10 behaviors. Unfortunately, studies show that students who  
11 struggle early in school rarely catch up and consequently have  
12 less than a one-in-three chance of being ready for college or a  
13 career at the end of high school.

14       The legislature further finds that early childhood  
15 education will benefit K through twelve teachers in the State  
16 because when children enter their classrooms better prepared,  
17 teachers spend less time remediating individual students,  
18 thereby allowing them to focus their time and energy on helping  
19 all of their students master the knowledge and content necessary  
20 to academically progress on time.



1 While it has been reported by some studies of the federal  
2 Head Start program that the benefits of early learning disappear  
3 by the third grade, reliable studies have found that gains made  
4 in life skills do not diminish over time. Graduates of Head  
5 Start, a federal program that promotes school readiness for  
6 children from low-income families, were less likely to repeat  
7 grades or be diagnosed with a learning disability and more  
8 likely to graduate from high school and attend college.

9 Guided by this robust research on early childhood  
10 education, the executive office on early learning has been  
11 developing a program that will provide access to high-quality  
12 early childhood education for all of Hawaii's children. Hawaii  
13 ranks twenty-seventh among the least affordable states for  
14 center-based programs for a four-year-old. In 2012, the average  
15 annual cost of a full-time center-based program for a four-year-  
16 old in Hawaii was \$8,172, which is more than nine per cent of  
17 the state median income for a married couple. Consequently,  
18 although low-income families require the most assistance, many  
19 moderate-income families, especially those who are just entering  
20 the middle class, also struggle to meet the cost of early  
21 learning on their own. According to United States Census Bureau



1 estimates, there are more than seventeen thousand four-year-olds  
2 in Hawaii in any given year, many of whom will require  
3 assistance to access high-quality early childhood education and  
4 the benefits it provides.

5 Through the prekindergarten program developed by the  
6 executive office on early learning, the State will be able to:

7 (1) Build capacity to serve children in the year prior to  
8 kindergarten eligibility; and

9 (2) Institute a high level of quality instruction, linked  
10 to children's educational outcomes, which research  
11 emphasizes is necessary to produce significant  
12 positive outcomes for children both in the near- and  
13 long-terms.

14 Act 122, Session Laws of Hawaii 2014, the Supplemental  
15 Appropriations Act, included \$3,000,000 for prekindergarten  
16 programs in fiscal year 2015, marking a significant investment  
17 of state funds in prekindergarten in Hawaii. These funds  
18 provided for the launch of the executive office on early  
19 learning prekindergarten program, which launched successfully in  
20 eighteen public elementary schools statewide in the 2014-2015  
21 school year, and benefitted more than four hundred four-year-old



1 children. The program institutes high-quality early childhood  
2 education standards, with each classroom staffed by a department  
3 of education teacher and educational assistant who benefit from  
4 continual professional development opportunities, including  
5 coaching and mentoring support provided by resource teachers  
6 with master's degrees and extensive knowledge in early childhood  
7 education. This Act provides statutory authority for the  
8 executive office on early learning's prekindergarten program.

9 There have also been several experimental public  
10 prekindergarten programs funded through Hawaii's Race to the Top  
11 grant. Other existing school-based programs consist of special  
12 education programs staffed by department of education special  
13 education teachers and those participating in the pre-plus  
14 program, which is a public-private partnership through which  
15 seventeen preschool facilities have been developed and built on  
16 public elementary school campuses with private, department of  
17 human services-licensed preschool providers contracted to  
18 operate them.

19 The executive office on early learning prekindergarten  
20 program requires the use of high-quality standards that are  
21 linked to children's educational outcomes. Research has shown





1 that there are certain components that are associated with an  
2 early childhood education program's ability to produce positive  
3 education outcomes. Although the early childhood field lacks  
4 consensus on a single approach for categorizing factors that  
5 define program quality, there are two broad dimensions commonly  
6 associated with promoting higher rates of learning and  
7 development in children—structural aspects, such as physical  
8 environment, child-caregiver ratios, group size, caregiver  
9 qualifications, and caregiver compensation and the quality of  
10 curriculum and intentional teaching. Recent research has shown  
11 that curriculum and intentional teaching have a more significant  
12 impact on children's outcomes, and is the basis for the high-  
13 quality standards that are required by the executive office on  
14 early learning's program. The standards include teacher-child  
15 interactions, individual child formative assessments, and family  
16 engagement.

17       There is substantial evidence that children who attend  
18 early childhood education programs are significantly affected by  
19 their interactions with teachers. Recent studies, such s  
20 "Features of Pre-Kindergarten Programs, Classrooms, and  
21 Teachers: Do They Predict Observed Classroom Quality and Child-



1 Teacher Interactions?," authored by Robert Piana, Crollee Howes,  
2 Margaret Burchinal, Donna Bryant, Richard Clifford, Diane Early,  
3 and Oscar Barbarin, have found that of the five quality  
4 indicators most often used in program evaluation systems,  
5 teacher-child interactions were the strongest predictor of  
6 children's learning.

7 Another key indicator linked to children's outcomes is the  
8 use of a curriculum that is based on child development. The  
9 degree to which it is fully implemented is dependent on the use  
10 of an ongoing, authentic child assessment that is used to  
11 individualize and is both intellectually rich and broad enough  
12 to meet children's social and emotional development needs.  
13 These are known as formative assessments.

14 Research has also demonstrated that high-quality programs  
15 involve families who communicate on an ongoing basis. Through  
16 various family engagement strategies, high-quality programs can  
17 better engage families in their children's learning, especially  
18 in acquiring the skills associated with kindergarten readiness.  
19 The prekindergarten program developed by the executive office on  
20 early learning incorporates all of these best practices.



1           Furthermore, a state-funded early childhood education  
2 program continues decades of work by the legislature to advance  
3 early learning in the State.

4           In 1989, state funding was approved for the preschool open  
5 doors program to help families pay for child care at  
6 participating preschools using a sliding fee scale based on  
7 ability to pay. Components included child development workshops  
8 and staff development for the preschools.

9           In 1991, the University of Hawaii board of regents created  
10 the University of Hawaii Center on the Family in response to  
11 S.C.R. No. 82 (1989), to enhance the well-being of Hawaii's  
12 families through interdisciplinary research, education, and  
13 community outreach. Early childhood was one of the focal areas.

14           In 1997, the legislature passed Act 77, Session Laws of  
15 Hawaii 1997, which:

- 16           (1) Recognized a public-private partnership between the  
17 State and Good Beginnings Alliance, a private  
18 nonprofit corporation created as a focal point for  
19 policy development and dedicated to enhancing,  
20 developing, and coordinating quality early childhood  
21 education and care services;



- 1           (2) Tasked the Good Beginnings Alliance with overseeing at  
2           least four community councils in each county to  
3           develop plans to provide services to children and  
4           families and possible local funding sources; and  
5           (3) Established an interdepartmental council to assist  
6           with the work.

7           In 1998, the legislature adopted H.C.R. No. 38 (1998),  
8           which established in state policy the goal that "all of Hawaii's  
9           children will be safe, healthy and ready to succeed."

10          In 2002, the legislature passed Act 177, Session Laws of  
11          Hawaii 2002, which appropriated capital improvement funds to  
12          build preschools on elementary school campuses throughout the  
13          State. The lieutenant governor's office assumed planning  
14          oversight for the pre-plus program until oversight was  
15          transferred to the department of human services and subsequently  
16          to the executive office on early learning.

17          In Act 13, Session Laws of Hawaii 2002, the legislature led  
18          the nation by statutorily defining "school readiness," which  
19          acknowledged the joint responsibility of families, schools, and  
20          communities in preparing children for lifelong learning.



1           In 2004, the legislature passed Act 219, Session Laws of  
2   Hawaii 2004, which established an unfunded, two-tiered junior  
3   kindergarten and kindergarten program in the department of  
4   education beginning with the 2006-2007 school year.

5           In 2005, the legislature passed Act 151, Session Laws of  
6   Hawaii 2005, which created the early childhood education task  
7   force with the understanding that young children are ready to  
8   have successful learning experiences when there is a positive  
9   interaction among the child's developmental characteristics,  
10   school practices, and family and community support.

11           In 2006, the legislature passed Act 259, Session Laws of  
12   Hawaii 2006, which established the early learning educational  
13   task force to develop a five-year plan for a comprehensive and  
14   sustainable early learning system. The plan, completed prior to  
15   the regular session of 2008, included detailed costs for the  
16   establishment and operation of an early learning system in  
17   Hawaii that would include children from birth to age five. It  
18   also included, as requested by the legislature, an  
19   implementation and financing schedule that begins with services  
20   to four-year-old children and proceeds to younger age groups;  
21   mechanisms to ensure cross-sector and interdepartmental



1 collaboration; measures to ensure the continuing professional  
2 development of teachers and administrators; and provisions for  
3 the promotion of the importance of early learning to families,  
4 policymakers, and the general public.

5 In 2008, the legislature passed Act 14, Special Session  
6 Laws of Hawaii 2008, which established the State's early  
7 learning system, known as keiki first steps. The legislature  
8 recognized that a preschool setting might be a more appropriate  
9 placement than junior kindergarten. Act 14:

- 10 (1) Established the early learning council, which was  
11 attached to the department of education for  
12 administrative purposes only, to develop and  
13 administer the early learning system to benefit all  
14 children throughout the State, from birth until the  
15 time they enter kindergarten;
- 16 (2) Established the keiki first steps grant program;
- 17 (3) Established the pre-plus program within the department  
18 of human services and designated the department of  
19 human services and department of education to work  
20 collaboratively to develop suitable pre-plus  
21 classrooms on department of education campuses



1 statewide, including conversion charter school  
2 campuses; and

3 (4) Promoted the development of early learning facilities.

4 In 2009, the legislature passes Act 194, Session Laws of  
5 Hawaii 2009, which:

6 (1) Required the department of education, beginning with  
7 the 2010-2011 school year, to use successful  
8 assessment tools and protocols for determining a  
9 student's initial placement and for decision-making  
10 about a student's movement between junior

11 kindergarten, kindergarten, and into grade one; and

12 (2) Required the early learning council to develop a plan  
13 to ensure the needs of junior kindergarteners are  
14 addressed.

15 In 2010, the legislature passed Act 183, Session Laws of  
16 Hawaii 2010, which:

17 (1) Amended the public school kindergarten entry age  
18 beginning with the 2013-2014 school year, so that  
19 children must be at least five years old on the first  
20 day of instruction; and



- 1           (2) Required the department of education and early  
2           learning council to develop a plan to assess the  
3           success of junior kindergarten programs at individual  
4           schools that would also address providing educational  
5           opportunities for those who would have been eligible  
6           to attend kindergarten prior to the age change.

7           In 2012, the legislature passed Act 178, Session Laws of  
8   Hawaii 2012, which:

- 9           (1) Established the executive office on early learning;  
10          (2) Charged the office with creating a comprehensive early  
11          childhood development and learning system for Hawaii's  
12          keiki, prenatal to age five;  
13          (3) Established the early learning advisory board to  
14          replace the early learning council as an advisory body  
15          to the office;  
16          (4) Repealed the existing junior kindergarten program for  
17          four- and early five-year-olds at the end of the 2013-  
18          2014 school year;  
19          (5) Required that beginning with the 2014-2015 school  
20          year, students must be at least five years old on July  
21          31 of that school year to attend kindergarten; and





1           (6) Tasked the office with developing a plan to implement  
2           an early learning program and report back to the  
3           legislature prior to the regular session of 2013.

4           In 2013, the legislature passed S.B. No. 1084, S.D. 1, H.D.  
5   1, C.D. 1, which proposed an amendment to the Hawaii State  
6   Constitution to permit the appropriation of public funds for  
7   private early childhood education programs and which passed with  
8   more than a two-thirds majority in each house. The purpose of  
9   the constitutional amendment was to include private early  
10   childhood education providers in a mixed-delivery system of  
11   public and private providers to provide access to early  
12   childhood education opportunities for more four-year-old  
13   children. Ratification of the amendment failed on November 4,  
14   2014.

15          In 2014, the legislature passed Act 122, Session Laws of  
16   Hawaii 2014, which included \$3,000,000 in the state budget for  
17   prekindergarten programs in fiscal year 2015. These funds  
18   provided for public preschools on department of education  
19   elementary school campuses in the 2014-2015 school year through  
20   the executive office on early learning prekindergarten program.



1       The purpose of this Act, therefore, is to continue the  
2 legislature's work and fulfill the State's intent to provide a  
3 much-needed early childhood education program for Hawaii's  
4 children prior to the State's constitutional responsibility for  
5 education from kindergarten through grade twelve, by  
6 establishing the executive office on early learning  
7 prekindergarten program, which shall be provided through  
8 department of education public schools and public charter  
9 schools, and shall implement the use of high-quality standards  
10 that are strongly linked to children's educational outcomes.

11       SECTION 2. Chapter 302L, Hawaii Revised Statutes, is  
12 amended by adding a new section to be appropriately designated  
13 and to read as follows:

14       "§302L-       Executive office on early learning  
15 prekindergarten program; public preschools. (a) There is  
16 established within the early learning system an early childhood  
17 education program to be known as the executive office on early  
18 learning prekindergarten program and to be administered by the  
19 office pursuant to rules adopted by the office. The program  
20 shall:



1        (1) Be provided through department of education public  
2        schools and public charter schools;

3        (2) Prepare children for school and active participation  
4        in society through the use of either of the State's  
5        two official languages; and

6        (3) Provide access to high-quality early childhood  
7        education that addresses children's physical,  
8        cognitive, linguistic, social, and emotional  
9        development.

10       (b) The program shall serve children in the year prior to  
11       the year of kindergarten eligibility, with priority extended to  
12       underserved or at-risk children.

13       (c) Enrollment in the program shall be voluntary. A child  
14       who is enrolled in, or is eligible to attend, a public  
15       elementary school, or who is required to attend school pursuant  
16       to section 302A-1132, shall not be eligible for enrollment in  
17       the program.

18       (d) The program shall incorporate high-quality standards  
19       pursuant to rules adopted by the office. High-quality standards  
20       shall be research-based, developmentally-appropriate practices



1 associated with better educational outcomes for children, such  
2 as:

3 (1) Positive teacher-child interactions;

4 (2) Use of individual child assessments that are used for  
5 ongoing instructional planning, based upon all areas  
6 of childhood development and learning, including  
7 cognitive, linguistic, social, and emotional  
8 approaches to learning and health and physical  
9 development;

10 (3) Family engagement; and

11 (4) Alignment with the Hawaii early learning and  
12 development standards, which align with department of  
13 education standards, including common core state  
14 standards, state content and performance standards,  
15 and general learner outcomes for grades kindergarten  
16 to twelve, to facilitate a seamless and high-quality  
17 educational experience for children.

18 The office shall monitor implementation of the high-quality  
19 educational experience for children.

20 (e) The office shall provide support to incorporate these  
21 high-quality standards, including support related to teacher-



1 child interactions, individual child assessments, and family  
2 engagement.

3 (f) The office shall coordinate with other agencies and  
4 programs to facilitate comprehensive services for early  
5 childhood education.

6 (g) The office shall collect data to:

7 (1) Evaluate the services provided;

8 (2) Inform policy; and

9 (3) Make any improvements to the program.

10 (h) The department of education and any public charter  
11 school existing pursuant to chapter 302D, may use available  
12 classrooms for public preschool programs statewide. The  
13 department of education and public charter schools shall give  
14 priority to schools that serve high populations of underserved  
15 or at-risk children. Preschool classrooms established pursuant  
16 to this section shall be in addition to any classrooms used for  
17 the pre-plus program established pursuant to section 302L-1.7.

18 (i) The office shall adopt rules pursuant to chapter 91  
19 necessary to carry out the purposes of this section, including  
20 compliance with all applicable state and federal laws.



1       SECTION 3. Section 302L-1, Hawaii Revised Statutes, is  
2 amended by adding three new definitions to be appropriately  
3 inserted and to read as follows:

4       "Early childhood education" means a developmentally  
5 appropriate early childhood development and education program  
6 for children from birth until the time they enter kindergarten.

7       "Family engagement" means practices that engage families in  
8 recognition of the need for families to actively support their  
9 child's learning and development, including classrooms that make  
10 families feel welcome, communication with families on an ongoing  
11 basis, the promotion of responsible parenting, and involvement  
12 in decisions that affect families and their children.

13       "Underserved children" means children who, because of  
14 circumstances such as their place of residence, limited  
15 transportation, or family's financial resources, have little or  
16 no access to early childhood education programs."

17       SECTION 4. The executive office on early learning shall  
18 submit a report to the legislature no later than twenty days  
19 prior to the convening of the regular sessions of 2016, 2017,  
20 and 2018, on the executive office on early learning  
21 prekindergarten program, including information on the following:



- (1) The number of classrooms established and their locations;
- (2) The number of children enrolled at each school and aggregate data explaining how the program is prioritizing underserved or at-risk children;
- (3) The number of applicants who were placed on a waitlist for the program and at which schools;
- (4) A description of the basic elements of each classroom;
- (5) A description of the high-quality standards incorporated in each classroom;
- (6) The degree to which the program's standards, as incorporated in each classroom, are meeting the research-based National Institute for Early Education Research Quality Standards Benchmarks;
- (7) The cost of each classroom; and
- (8) Plans and costs for program expansion in fiscal years 2016, 2017, and 2018.

SECTION 5. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.

INTRODUCED BY:

Michelle Tidani



**Report Title:**

Executive Office on Early Learning Prekindergarten Program

**Description:**

Establishes the Executive Office on Early Learning Prekindergarten Program to be administered by the Executive Office on Early Learning and provided through Department of Education public schools and public charter schools.

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